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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/786,985	05/21/2001	Patrick Hourquebie	025219-317	8711

7590 01/15/2003  
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EXAMINER

YOON, TAE H

ART UNIT PAPER NUMBER

1714

DATE MAILED: 01/15/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Art Unit: 1714

**ATTACHMENT TO ADVISORY ACTION**

The newly recited “impregnated” and “heterogeneity” in claim 1 and “or on” and “0.1  $\mu\text{m}$ ” in claim 16 raise new issues that would require further consideration and search, and thus the amendment is denied of the entry. The recited “a conducting polymer dispersed on an insulating polymer encompasses a coating of said conducting polymer on said insulating polymer which may be New Matter. The specification does not support the recited “granules of insulating polymer impregnated with a conducting polymer since, for example, the example 1 shows the use of polyethylene granules and a deposited film thereon which is a coating, not an impregnation.

With respect to the recited “heterogeneity”, applicant asserts that one skilled in the art understand that the sample in question would appear homogenous when viewed at a 0.1  $\mu\text{m}$  scale. However, the claimed language is not directed to “viewing at a 0.1  $\mu\text{m}$  scale” and said heterogeneity on a 0.1  $\mu\text{m}$  scale is dependent on the magnification power of SEM. Thus, the specification failed to describe adequately how said heterogeneity has been measured (magnification power). Applicant also states that the sample would display increasing heterogeneity if viewed at much higher magnification which actually supports the examiner’s position. For example, 1,000X would not show heterogeneity, but 100,000X would show heterogeneity. Thus, the particular basis, magnification power of SEM, is needed to judge said heterogeneity.

Applicant has canceled claim 17, thus applicant’s response has little probative value even though the amendment is denied of the entry.

Art Unit: 1714

With respect to Conn et al, the instant preamble “insulating material” has little probative value absent a particular conductivity or any definition thereof since said “insulating material” and “semi-conducting composite” of Conn et al are defined by users. The amount of a conducting material taught by Conn et al (1,000-5,000 ppm in 1,000-200,000 ppm) falls within the scope of the instant invention. Applicant points Figures of Conn et al, however, a viewing of said Figures at much lower magnification power would meet the instant claim absent a particular magnification power of SEM used in the invention (see also above response to 112, 1st pp rejection). A particular processing temperature is neither claimed nor recited, and applicant failed to show the composite of Conn et al differs from that of the instant invention. Also, the recited preamble, “improved resistance to thermal ageing”, has little probative value. Any non-crystalline polymer particles inherently permit some impregnation of a solution as in the instant example if the instant example had yielded impregnated particles.

With respect to Han et al, see above under the response to Conn et al. Contrary to applicant’s assertion, Han et al teach that particles may also be relatively small for example  $10^{-18}$  cm<sup>3</sup> in volume of smaller at col. 5, lines 20-21 which would yield  $10^{-6}$  cm (0.01  $\mu$ m). The intended use, insulation, has little probative value. With respect to the higher amount of conducting material use in the example, note that reference must be considered for all that it discloses and must not be limited to its preferred embodiments or working examples. *In re Mills*, 477 F2d 649, 176 USPQ 196 (CCPA).

With respect to the obviousness rejection under 103, see above.

Art Unit: 1714

**The drawings are objected since they recite French.**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tae H. Yoon whose telephone number is (703) 308-2389. The examiner can normally be reached on Monday to Thursday from 8:00 to 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vasu Jagannathan, can be reached on (703) 306-2777. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9311.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.

THY/Janaury 13, 2003

A handwritten signature in black ink, appearing to read 'Tae H. Yoon', is positioned in the lower right area of the page.